

2000P07639US01  
60,427-252

**REMARKS**

Claims 1 and 11 stand rejected under 35 USC §102(b) as being anticipated by Sheehan. Sheehan does not disclose a resonator component including a hose opening and a tube opening. Sheehan discloses a tuner device 10 having a tubular sleeve 13 inserted in the tuner device 10. A tuning pipe 12 is inserted into an opening in the tubular sleeve 13. The Examiner states that Sheehan teaches that the tuner device 10 has an opening into which both the tuning pipe 12 and the tubular sleeve 13 can be inserted, and therefore the tuner device 10 has a hose opening and a tube opening.

Applicant's claims require that the resonator component includes a hose opening for a hose and a tube opening for a tube. As shown in Figure 2 of Sheehan, the tuning pipe 12 and the tubular sleeve 13 are both inserted into the same opening in the tuner device 10. The tubular sleeve 13 is inserted into an opening in the tuner device 10, and the tuning pipe 12 is inserted into an opening in the tubular sleeve 13. That is, the tuning pipe 12 is inserted into an opening in the tubular sleeve 13 and is not inserted into an opening in the tuner device 12. Sheehan does not disclose a resonator component including a hose opening and a tube opening, and Applicant's claims are not anticipated by Sheehan.

Claims 4-7, 12, 15-17 and 20 stand rejected under 35 USC §103(a) as being obvious over Sheehan in view of Akima.

The Examiner states that it would be obvious to attach an air cleaner component to an end of the tuning pipe 12 of Sheehan, and therefore claims 4, 12, 15-17 and 20 are obvious. In Sheehan, exhaust gases from an internal combustion engine pass through the tuner device 10. The exhaust gases are then exhausted through the tuning pipe 12. There is no motivation or suggestion to attach an air cleaner component to the tuning pipe 12. If Sheehan included an air cleaner component, the air cleaner component would be positioned before the internal combustion engine to clean air entering the internal combustion engine. There is no reason and motivation to attach an air cleaner component to an end of the tuning pipe 12 positioned after the internal combustion engine. Additionally, Claims 4, 12, 15-17 and 20 depend on patentable independent claims 1 and 12 and are allowable for the reasons discussed above. Adding Akima

2000P07639US01  
60,427-252

to Sheehan does not render Applicant's Claims 4, 12, 15-17 and 20 obvious. Applicant's claims 4, 12, 15-17 and 20 are not obvious, and Applicant requests that the rejection be withdrawn.

The Examiner states that Claims 5 and 6 are obvious as it would be obvious to utilize a tube having a recessed portion between a pair of flanges with the tuner device 10 of Sheehan. Sheehan illustrates that the tuning pipe 12 is smooth and includes no suggestion to provide a recessed portion between a pair of flanges on the tuning pipe 12. Additionally, Claims 5 and 6 depend on patentable independent claim 1 and are allowable for the reasons discussed above. Adding Akima to Sheehan does not render Applicant's Claims 5 and 6 obvious. The combination of Sheehan and Akima do not disclose or suggest Claims 5 and 6, and Applicant's Claims 5 and 6 are not obvious.


The Examiner states that Claim 7 is obvious as it would be obvious to connect an intake manifold to the tubular sleeve 13 of Sheehan. As shown in Figure 2 of Sheehan, it would not be possible to connect an intake manifold to the tubular sleeve 13. One end of the tubular sleeve 13 is located in the enclosure 11. The other end of the tubular sleeve 13 is received around the tuning pipe 12, which extends from the tubular sleeve 13. However, due to the length of the tubular sleeve 13, nothing can be attached to the end of the tubular sleeve 13 that receives the tuning pipe 12 as this end just slightly extends past the enclosure 11. Additionally, nothing can be attached to the end of the tubular sleeve 13 due to the presence of the tuning pipe 12. There is no suggestion to employ an intake manifold component with the tuner device 10 of Sheehan. Additionally, Claim 7 depends on patentable independent claim 1 and is allowable for the reasons discussed above. Adding Akima to Sheehan does not render Applicant's claim 7 obvious. The combination of Sheehan and Akima do not disclose or suggest claim 7, and Applicant's claim 7 is not obvious.

Thus, Claims 1-7, 10-17 and 20-24 are in condition for allowance. No additional fees are seen to be required. If any additional fees are due, however, the Commissioner is authorized to charge Deposit Account No. 50-1482, in the name of Carlson, Gaskey & Olds, P.C., for any additional fees or credit the account for any overpayment. Therefore, favorable reconsideration and allowance of this application is respectfully requested.

2000P07639US01  
60,427-252

Respectfully Submitted,

**CARLSON, GASKEY & OLDS, P.C.**

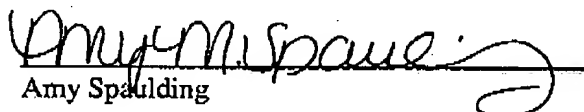


Karin H. Butchko  
Registration No. 45,864  
Attorneys for Applicant  
400 West Maple Road, Suite 350  
Birmingham, Michigan 48009  
(248) 988-8360

Dated: November 7, 2003

**CERTIFICATE OF FACSIMILE**

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Art Unit 2837, After Final facsimile No. (703) 872-9319 on November 7, 2003.



Amy Spaulding

N:\clients\siemens\airfuelmodules\ip00252\patent\252response2.doc